**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

I hereby certify that this transmittal of the below described document is being deposited with the United States Postal Service in an envelope bearing First Class Postage and addressed to the Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450, on the below date of deposit.			
Date of Deposit:	02/24/05	Name of Person Making the Deposit:	KATHERINE RINALDI
		Signature of the Person Making the Deposit:	<i>Katherine Rinaldi</i>

In re Application of: Peter J. Welter, John R. Meier and Dennis Gardner

Application No.: 09/905,647

Examiner: Harrell, Robert B.

Filed: 07/13/01

Art Unit: 2142

Confirmation No.: 2687

For: METHOD AND SYSTEM FOR CREATING DYNAMIC WEB TRANSACTION TESTS (AS FILED )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application

- ☒ Transmitted herewith is a response to an office action for the above identified patent application.  
( 23 sheets)
- |  |    |   |
|--|----|---|
| <input checked="" type="checkbox"/> Transmitted herewith are | 36 | sheets of Substitute Specification (clean version).     |
| <input checked="" type="checkbox"/> Transmitted herewith are | 36 | sheets of Substitute Specification (marked up version). |
| <input checked="" type="checkbox"/> Transmitted herewith are | 1  | Replacement sheet of Figure 1.                          |
| <input checked="" type="checkbox"/> Transmitted herewith are | 1  | Annotated sheet of Figure 1.                            |

2. Applicant is other than a small entity

**Extension of Term**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

- (a) [ ] Applicant petitions for an extension of time under 37 C.F.R. 1.136
- 
- (fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:)

<u>Extension</u>	<u>Fee</u>
[ ] one month	\$120.00
[ ] two months	\$450.00
[ ] three months	\$1,020.00
[ ] four months	\$1,590.00
[ ] five months	\$2,160.00
	<b>Fee \$</b>

If an additional extension of time is required, please consider this a petition therefor.

- (b) [X] Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

**Fee Calculation**

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

<b>(for other than a small entity)</b>					
Fee Items	Claims Remaining After Amendment	Highest Number of Claims Previously Paid For	Present Extra Claims	Fee Rate	Total
Total Claims	44	- 77 =	0	x \$50.00	\$0.00
Independent Claims	5	- 5 =	0	x \$200.00	\$0.00
Multiple Dependent Claim Fee (one or more, first added by this amendment)				\$360.00	\$0.00
<b>Total Fees</b>					<b>\$0.00</b>

**PAYMENT OF FEES**

5. The full fee due in connection with this communication is provided as follows:
- [ x ] The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No.: 23-0085.  
A duplicate copy of this authorization is enclosed.
- [ ] A check in the amount of \$
- [ ] Charge any fees required or credit any overpayments associated with this filing to Deposit Account No.: 23-0085.

Please direct all correspondence concerning the above-identified application to the following address:

**WAGNER, MURABITO & HAO LLP**  
Two North Market Street, Third Floor  
San Jose, California 95113  
(408) 938-9060  
Customer No: 41066

Respectfully submitted,

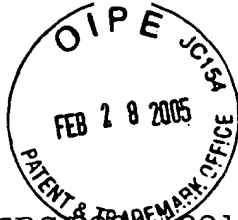
Date:

2/24/05

By:

Ronald M. Pomeroy

Ronald M. Pomeroy  
Reg. No. 43,009



MERC-PO64 (60170-300301)

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	)	
	)	
Welter	)	Examiner: Harrell, Robert B.
	)	
Serial No. 09/905,647	)	Art Unit: 2142
	)	
Filing Date: July 13, 2001	)	
	)	
For: Method and System for	)	
Creating Dynamic Web	)	
Transaction Tests	)	
(As Filed)	)	
_____	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION

Dear Sir:

In response to the Office Action mailed November 24, 2004, the following amendments and responses to the above captioned patent application are respectfully submitted. Reconsideration of the above captioned patent application is respectfully requested.

Serial No. 09/905,647  
Examiner: Harrell, Robert B.

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Art Unit 2142  
MERC-PO64